



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,355	11/26/2003	Kuang-Ping Ma	3313-1068P	6153
2292 7590 01/26/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER WILLIAMS, LAWRENCE B	
			ART UNIT	PAPER NUMBER
			2611	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		01/26/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/26/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/721,355

Applicant(s)

MA ET AL.

Examiner

Lawrence B. Williams

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 1,3,5 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the examiner suggests “despreading” in stead of “dispreading” in line 3 of the abstract.

Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

- a.) The examiner suggests, “spread spectrum (SS) signal” instead of “spread spectrum (SS)” in line 12 of page 3.

- b.) The examiner suggests “SS signal” instead of “SS” for clarity in lines 18-21 of page 3.

- c.) Lines 20-21; “if the SS is in the negative phase; when the SS is in the negative phase, its peak sign assignment value is negative” of page 3 are unclear.

- d.) The examiner suggests “despreads the preamble message” and “despreading” instead of “dispreading” in line 6 of page 4. The examiner suggests applicant review the disclosure and make this correction for clarity as “dispreading” is used in multiple occurrences throughout the disclosure.

- e.) The examiner suggests “according to a predetermined “ in line 11 of page 4.

- f.) Lines 12-13; “First, the system receives a preamble message containing a spread spectrum of a series” of page 4 are unclear. Applicant makes multiple references of the term “series” throughout the disclosure. It is unclear as to what is exactly meant by applicant with the use of “series”.

Art Unit: 2611

g.) The examiner suggests “rest of the discrete signals” in line 13 of page 5.

h.) Line 16 of page 5, the examiner suggests, “the maximum accumulation”.

i.) Lines 23-24 of page 6, the examiner suggests, “the maximum accumulation”.

Appropriate correction is required.

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

4. Claim 1 is objected to because of the following informalities:

a.) The examiner suggests, “spread spectrum signal” in line 3 of the claim.

b.) The examiner suggests “despreading” instead of “dispreading” in line 4.

c.) Claim 1 recites the limitation "storing the results" in line 16. There is insufficient antecedent basis for this limitation in the claim. The examiner suggests, “storing the products”.

d.) Claim 1 recites the limitation "the accumulated values" in line 16. There is insufficient antecedent basis for this limitation in the claim. The examiner suggests “the accumulated products”.

e.) The examiner suggests, “with a maximum accumulation” in line 17 of the claim.

f.) The examiner suggests, “with the maximum accumulation” in line 18 of the claim.

Appropriate correction is required.

Art Unit: 2611

5. Claim 3 is objected to because of the following informalities:

- a.) The examiner suggests, "spread spectrum signal" in line 3 of the claim.
 - b.) The examiner suggests "despreading" instead of "dispreading" in line 4.
 - c.) Claim 3 recites the limitation "equating the result" and "storing the results" in lines 14 and 15, respectively. There is insufficient antecedent basis for this limitation in the claim.
 - d.) Claim 3 recites the limitation "the accumulated values" in line 17. There is insufficient antecedent basis for this limitation in the claim.
 - e.) The examiner suggests, "with a maximum accumulation" in line 18 of the claim.
 - f.) The examiner suggests, "with the maximum accumulation" in line 19 of the claim.
- Appropriate correction is required.

6. Claim 5 is objected to because of the following informalities:

- a.) The examiner suggests, "spread spectrum signal" in line 3 of the claim.
 - b.) The examiner suggests "despreads" instead of "dispreads" in line 4.
 - c.) Claim 5 recites the limitation "the results" in lines 14-15. There is insufficient antecedent basis for this limitation in the claim.
 - d.) Claim 5 recites the limitation "the accumulated values" in line 15.
 - e.) The examiner suggests, "with a maximum accumulation" in line 16 of the claim.
- Appropriate correction is required.

7. Claim 8 recites the limitation "the channel signal" in line 2. There is insufficient antecedent basis for this limitation in the claim.

8. Claims 1, 3, 5 are objected to because of the following informalities: Claims 1, 3, and 5 all recite the phrase “ temporarily storing the results to a second data frame, a third frame,....., and the Nth data frame”. The examiner suggests, “temporarily storing the results to a second data through Nth data frame.”

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1-2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the limitation “(a) receiving a preamble message of a spread spectrum (the examiner assumes applicant means spread spectrum signal) that contains a series” in line 3 of the claim. It is unclear as what exactly is meant by series. The specification gives no description as to what the term “series” encompasses.

Claim 2 is rejected based on its dependency upon rejected claim 1.

Art Unit: 2611

11. Claims 3-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 3 recites the limitation “(a) receiving a preamble message of a spread spectrum (the examiner assumes applicant means spread spectrum signal) that contains a series” in line 3 of the claim. It is unclear as what exactly is meant by series. The specification gives no description as to what the term “series” encompasses.

Claim 4 is rejected based on its dependency upon rejected claim 3.

12. Claims 5-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 5 recites the limitation, “a despreaders, which receives a preamble message of a spread spectrum (the examiner assumes applicant means spread spectrum signal) that contains a series” in lines 3-4 of the claim. It is unclear as what exactly is meant by series. The specification gives no description as to what the term “series” encompasses.

Claims 6-8 are rejected based on its dependency upon rejected claim 3.

Conclusion

Art Unit: 2611

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.) Challa et al. discloses in US Patent 7,020,180 B2 Method and Apparatus For Acquiring Pilots Over Code Space and Frequency Errors In A CDMA Communication System.

b.) Shan discloses in US Patent 7,054,396 B2 Method and Apparatus For Multipath Signal Compensation In Spread-Spectrum Communications Systems.

c.) Tanaka et al. discloses in US Patent 5,764,685 Method of Setting Spread Code Series and Communication Apparatus Using Spread spectrum Communication Method.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammad can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

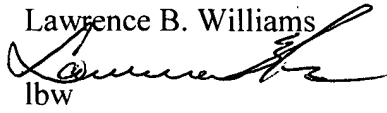
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/721,355

Page 8

Art Unit: 2611

Lawrence B. Williams

A handwritten signature in black ink, appearing to read 'Lawrence B. Williams', written over the printed name.

lbw

January 21, 2007